

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
Case No.: 9:23-cv-81150-RLR**

ANDREW TATE AND TRISTAN TATE,

Plaintiffs

vs.

EMMA GABBEY, MONA TABARA GABBEY,
WILLIAM GABBEY, ALIONA UNTILA,
AND MATTHIEU MARTELLY

Defendants.

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REMOVAL STATUS REPORT

Defendants, EMMA GABBEY, MONA TABARA GABBEY, WILLIAM GABBEY, ALIONA UNTILA, and MATTHIEU MARTELLY, by and through the undersigned counsel, and in compliance with the Court's Order [DE 12], hereby submit this Removal Status Report, and state as follows:

(1) Plaintiffs have asserted causes of action against Defendants for defamation, defamation *per se*, commercial defamation, false imprisonment, tortious interference of a business relationship, civil conspiracy, intentional infliction of emotional distress, and negligent infliction of emotion distress, all in connection with an investigation and ongoing prosecution of the Plaintiffs in Romania for sex trafficking and other crimes, seeking damages in excess of \$5,000,000.00 in Palm Beach County Case No. 50-2023-CA-011904. There are currently no pending counterclaims. True and accurate copies of all records and proceedings in the state court action were filed as Exhibit 1 to Defendants' initial Notice of Removal [DE 1], and as Exhibit A to Defendants' Amended Notice of Removal [DE 22].

(2) As grounds for removal, Defendants assert this action is removable pursuant to 28 U.S.C. §§ 1332a, 1441, 1442 and 1442a because complete diversity exists between the parties and the amount in controversy exceeds \$75,000.00, and because Defendant Matthieu Martelly is an officer of the United States and a member of the United States Armed Forces. These grounds have been set forth in detail in Defendants' Response to Order to Show Cause [DE 21] and Defendants' Amended Notice of Removal [DE 22]. Currently, the parties to this action include:

- a. Plaintiff, Andrew Tate;
- b. Plaintiff, Tristan Tate;
- c. Defendant, Emma Gabbey;
- d. Defendant, Mona Tabara Gabbey;
- e. Defendant, William Gabbey;
- f. Defendant, Aliona Untila; and
- g. Defendant, Matthieu Martelly.

(3) There are no pending motions at this time.

(4) All Defendants have consented to removal. At the time of filing this Status Report, Defendants Emma Gabbey, Aliona Untila, and Matthieu Martelly have not been served.

(5) Defendants timely removed this action pursuant to 28 U.S.C. §§ 1446(b) by filing their initial Notice of Removal [DE 1] within thirty (30) days of service of Defendants William Gabbey and Mona Gabbey. Defendants William Gabbey and Mona Gabbey were served in the state court action on or about July 17, 2023, and Defendants' Notice of Removal [DE 1] was filed on August 14, 2023.

Dated: August 28, 2023.

Respectfully submitted,

By: /s/ Christian W. Waugh

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Certificate of Service

I hereby certify that on August 28, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the below Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized

manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

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